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CENTRAL FAX CENTER****AUG 31 2004**Attorney Docket No. 01367/LH**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): K. Mori et al.

Serial No. : 09/883,833

Filed : June 18, 2001

For : IMAGING APPARATUS

Art Unit : 2612

Examiner : HENN, TIMOTHY J.

Customer No.: 01933

**RESPONSE- 37 CFR 1.111**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

This is responsive to the Office Action mailed  
August 9, 2004, the term for response to which expires on  
September 9, 2004.

**ELECTION**

Applicants hereby elect Invention I, claims 1-25, drawn to a  
digital camera with various gradation changing modes for further  
prosecution on the merits, without traverse.

Applicants have informed the undersigned that the original  
inventorship is still correct for the elected subject matter.

It is respectfully requested that prosecution on the merits  
now proceed on the basis of the election set forth above.

CERTIFICATE OF FACSIMILE  
TRANSMISSION  
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TOTAL PAGES: 2  
I hereby certify that this  
paper is being facsimile  
transmitted to the  
Commissioner for  
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on the date noted below.

N. Snehdeo  
Nalini P. Sahadeo

Dated: August 31, 2004

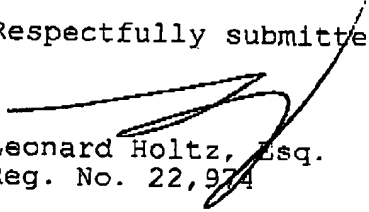
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consider this as a Petition  
for the requisite extension of  
time, and to the extent not  
tendered by check attached  
hereto, authorization to  
charge the extension fee to  
Account No. 06-1378.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

August 31, 2004

  
Leonard Holtz, Esq.  
Reg. No. 22,974

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